

Remarks

Claims 1-25 are pending in the application. The Examiner rejects claims 13, 14, and 17 under 35 U.S.C. § 102(e). By this paper, Applicant has amended claim 13 for purposes of clarity. No new matter has been added. Applicant believes that all claims are allowable, including claims 13, 14 and 17, and present remarks below to this effect. Accordingly, Applicant respectfully requests careful reconsideration of the pending claims.

Anticipation Rejection

Claims 13, 14 and 17 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,919,796, issued to Boddy et al. (hereinafter “*Boddy*”). Applicant respectfully traverses this rejection.

In order to anticipate a claim, a reference must disclose each and every element of that claim. It is impermissible within the framework of § 102 to make assumptions not inherent in the cited reference to support a finding of anticipation.

Claim 13, which is directed to an automotive outside rearview mirror assembly, recites:

a main viewing mirror having a generally planar reflective surface including a cut-out region in the upper and outer quadrant of the main viewing mirror; and

an auxiliary blindzone viewing mirror adapted for insertion into the cut-out region of the main viewing mirror for attachment thereto, the auxiliary blindzone viewing mirror *having a lip* projecting laterally outward about at least a portion of the outer periphery of the auxiliary blindzone viewing mirror;

wherein at least a portion of the lip *overlaps* the main viewing mirror upon insertion of the auxiliary blindzone viewing mirror facilitating *engagement with the upper surface of the main viewing mirror*. (Emphasis added.)

Boddy does not disclose an “auxiliary blindzone viewing mirror *having a lip* projecting laterally outward about at least a portion of the outer periphery of the auxiliary

blindzone viewing mirror" which "*overlaps* the main viewing mirror . . . facilitating *engagement with the upper surface of the main viewing mirror.*" Rather, *Boddy* merely discloses a spotter mirror 50 having a rear face 52, a front face 54, and a reflective layer 56 extending over the rear face 52. (col. 4, ll. 35-50.) Contrary to the Examiner's contention, *Boddy* does not disclose a "projecting edge" in Figures 5A and 5B. What the Examiner misinterprets as a "projecting edge" in *Boddy* is merely the reflective layer 56 which coats the rear face 52. Figure 5C in *Boddy* provides the best view to ascertain whether the spotter mirror 50 includes a *lip* as recited by claim 13 of the present application. In that regard, Figure 5C makes clear that spotter mirror 50 does not include a "projecting edge," much less a *lip*.

Regardless, *Boddy* fails to disclose a lip "*facilitating engagement with the upper surface of the main viewing mirror.*" Rather, *Boddy* merely discloses that the spotter mirror 50 cooperatively registers in the spotter mirror pocket 40. The spotter mirror 50 at most engages the pocket wall 36 and the pocket floor 38. However, *Boddy* fails to disclose *any* feature for engaging the upper surface of reflective element face 32 corresponding to the main viewing mirror, much less a *lip*. Accordingly, *Boddy* fails to disclose all of the claim limitations of claim 13 of the present application. Thus, Applicant respectfully believes that the §102(e) rejection of claim 13 and the associated dependent claims is improper and should be withdrawn.

It should be noted that many dependent claims of claim 13 recite additional features that are not disclosed in the cited reference. For example, claim 14 recites an "auxiliary blindzone viewing mirror shaped and positioned *for viewing primarily only a driver's blindzone encompassing the region between the outer limit of the viewing angle of the main viewing mirror and the rearward limit of the driver's peripheral vision when the driver is looking at the main viewing mirror.*" *Boddy* does not disclose this feature. Rather, *Boddy* merely discloses a spotter mirror 50 having a convex second surface (rear face 52) that is "adapted to provide an image to the operator of the object in the vehicle's blind zone adjacent to the rearward view which is not generally observable by the operator in the rearward view."

(col. 2, ll. 17-26.) It is important to note that (A) a spotter mirror adapted to provide an image of the object in the vehicle's blindzone which is not generally observable in the rearward view of the primary mirror is not equivalent to (B) an "auxiliary blindzone viewing mirror shaped and positioned for viewing primarily only a driver's blindzone."

The former, (A), suggests that the spotter mirror displays images not viewable in the primary mirror, but says nothing about *only* displaying images not viewable in the primary mirror. That is, the spotter mirror is not limited to *primarily only* a vehicle's blindzone, but may also include additional extraneous information that *is* viewable in both the spotter mirror and the primary mirror. In fact, most convex blindzone mirrors in the art have a large field of view in which significant portions overlap the field of view of the primary mirror. The *Boddy* reference does not disclose anything otherwise. The latter, (B), on the other hand, contemplates an auxiliary mirror shaped and positioned for viewing *primarily only* a driver's blindzone, devoid of much of the extraneous information that may also be seen in the main viewing mirror. (*Specification*, p. 12, line 20 - p. 15, line 30.) Thus, the §102(e) rejection of claim 14 is believed to be improper and should be withdrawn.

As another example, claim 17 recites "wherein a portion of the lip defining the inboard edge of the auxiliary blindzone viewing mirror is *canted* to obscure the reflection of the auxiliary blindzone mirror in the main viewing mirror." Contrary to the Examiner's contention, *Boddy* fails to disclose this feature. Rather, the inboard edge of the spotter mirror 50 in *Boddy* is necessarily orthogonal to the front face 54 of the spotter mirror 50. This is because the pocket wall 36 depends orthogonally from the reflective element face 32 and is adapted to correspond with the shape of the spotter mirror 50. (col. 4, ll. 25-39.) Moreover, *Boddy* disclose that the front face 54 of spotter mirror 50 is coplanar with reflective element face 32, and thus, there exists no reflection of the spotter mirror 50 in the reflective element face 32 to obscure. Thus, the §102(e) rejection of claim 17 is believed to be improper and should be withdrawn.

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the anticipation rejection and pass these claims through to allowance.

CONCLUSION

Applicant thanks the Examiner for his time and effort in carefully reviewing the present application. Applicant has made a genuine effort to respond to each of the Examiner's rejections in advancing the prosecution of this case. Applicant believes that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. Moreover, the Examiner is invited to contact the undersigned if any questions arise or any additional issues need to be resolved concerning the present application.

Respectfully submitted,
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